A CERTIFIED TRUE COPY

ATTEST

By Denise Morgan-Stone on May 19, 2010

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

May 04, 2010

UNITED STATES JUDICIAL PANEL on MULTIDISTRICT LITIGATION

FILED CLERK'S OFFICE

IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

(SEE ATTACHED SCHEDULE)

## **CONDITIONAL TRANSFER ORDER (CTO-31)**

On August 13, 2008, the Panel transferred eight civil actions to the United States District Court for the Southern District of West Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 571 F.Supp.2d 1376 (J.P.M.L. 2008). Since that time, 260 additional actions have been transferred to the Southern District of West Virginia. With the consent of that court, all such actions have been assigned to the Honorable Joseph R. Goodwin.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of West Virginia and assigned to Judge Goodwin.

Pursuant to Rule 7.4 of the <u>Rules of Procedure of the Judicial Panel on Multidistrict Litigation</u>, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of West Virginia for the reasons stated in the order of August 13, 2008, and, with the consent of that court, assigned to the Honorable Joseph R. Goodwin.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of West Virginia. The transmittal of this order to said Clerk shall be stayed 14 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 14-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.

May 19, 2010

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

' Jeffery N. Lüthi Clerk of the Panel IN RE: DIGITEK PRODUCTS LIABILITY LITIGATION

MDL No. 1968

## **SCHEDULE CTO-31 - TAG-ALONG ACTIONS**

DIST. DIV. C.A. # CASE CAPTION

CALIFORNIA CENTRAL

CAC 5 10-518 Wayne F. Konczal, et al. v. Actavis Totowa, LLC, et al.

CALIFORNIA EASTERN

CAE 1 10-604 Betty McNish, et al. v. Actavis Totowa, LLC, et al.

CONNECTICUT

CT 3 10-513 Eleanor Boemmels v. Actavis Group hf, et al.

**MINNESOTA** 

MN 0 10-1099 Helen Garry, etc. v. Actavis Totowa, LLC, et al.

MISSOURI EASTERN

MOE 4 10-571 Roberta M. Steele, etc. v. Actavis Totowa, LLC, et al.

MISSISSIPPI NORTHERN

MSN 4 10-23 The Estate of Isaac Johnson, Sr. v. Actavis Totowa, LLC, et al.

**NEW YORK WESTERN** 

NYW 1 10-239 Terry Equils v. Actavis Totowa, LLC, et al.

OHIO NORTHERN

OHN 1 10-757 James Lunder, et al. v. Actavis Totowa, LLC, et al. OHN 4 10-756 Barbara Tacy, et al. v. Actavis Totowa, LLC, et al.

OKLAHOMA WESTERN

OKW 5 10-269 Kathleen Koehne, etc. v. Actavis Totowa, LLC, et al.

TEXAS NORTHERN

TXN 3 10-610 Anna Walker, etc. v. Actavis Totowa, LLC, et al.